

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 158, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning local
- 3 government.
- 4 Delete everything after the enacting clause and insert the following:
- 5 "SECTION 1. IC 36-7-4-1103, AS AMENDED BY
- 6 P.L.170-2002, SECTION 153, IS AMENDED TO READ AS
- 7 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1103. (a) This
- 8 section does not apply to a plan commission exercising
- 9 jurisdiction in a county having a population of more than twenty
- 10 thousand three hundred (20,300) but less than twenty thousand
- 11 five hundred (20,500).
- 12 (b) ADVISORY—AREA. For purposes of this section,
- 13 urban areas include **all of the following:**
- 14 (1) All lands and lots within the corporate
- 15 boundaries of a municipality.
- 16 (2) Any other lands or lots used for residential
- 17 purposes where there are at least eight (8)
- 18 residences within any quarter mile square area.
- 19 ~~and~~
- 20 (3) Other lands ~~or lots~~ **located in a recorded**
- 21 **plat of at least two (2) lots that have been or**
- 22 **are planned** for residential ~~areas~~ **purposes**

1 contiguous to the municipality.
 2 **Except as provided in subdivision (2) and (3), for purposes**
 3 **of this section, urban areas does not include territory over**
 4 **which a municipal plan commission is exercising jurisdiction**
 5 **as provided for in section 205 or 1208 of the advisory**
 6 **planning law.**

7 (c) ADVISORY—AREA. This chapter does not
 8 authorize an ordinance or action of a plan commission **or other**
 9 **local authority which asserts jurisdiction in floodways or**
 10 **flood plains** that would prevent, outside of urban areas, the
 11 complete use and alienation of any mineral resources or forests
 12 by the owner or alienee of them".

(Reference is to SB 158 as introduced.)

**and when so amended that said bill be reassigned to the Senate Committee on Governmental Affairs
 and Interstate Cooperation.**

GARTON Chairperson